

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TONY R. HINES,
Petitioner,
v.
BRIAN WILLIAMS, et al.,
Respondents.

Case No. 2:19-cv-01465-APG-VCF

ORDER

BRIAN WILLIAMS, et al.,
Respondents.

This habeas corpus action comes to this court from the United States Court of Appeals for the Ninth Circuit. Petitioner Tony Hines filed an application for authorization to file a second or successive habeas corpus petition, and the court of appeals concluded that the petition was not a second or successive petition under 28 U.S.C. § 2244(b). Hines has neither paid the filing fee nor filed a complete application to proceed *in forma pauperis* accompanied by a statement of his inmate account and a signed financial certificate. He must do one or the other before this action can proceed.

IT THEREFORE IS ORDERED that petitioner Tony Hines must file an application for leave to proceed in forma pauperis, accompanied by a signed financial certificate and a statement of his inmate account. The clerk of the court shall send petitioner a blank application form for incarcerated litigants. In the alternative, petitioner shall make the necessary arrangements to pay the filing fee of \$5.00, accompanied by a copy of this order. Hines will have 45 days from the date that this order is entered to comply. Failure to comply will result in the dismissal of this action.

DATED: September 11, 2019.

ANDREW P. GORDON
United States District Judge